

WORK
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withdrawal of motion shannon v. city SEM.wpd
KAWASHIMA LORUSSO & TOM LLP

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 14 2006
at 3 o'clock and 20 min.
SUE BEITIA, CLERK

Attorneys for Defendants
City and County of Honolulu, Honolulu
Liquor Commission, Dennis Enomoto,
Wallace W. Weatherwax, John Carroll, Anna Hirai
and Allan Gaylord

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

KERRY SHANNON,) CIVIL NO. CV04-00086
Plaintiff,) SPK/LEK
vs.)
CITY AND COUNTY OF) DEFENDANTS CITY AND COUNTY
HONOLULU; HONOLULU LIQUOR) OF HONOLULU, HONOLULU
COMMISSION; DENNIS ENOMOTO;) LIQUOR COMMISSION AND
in his official capacity as) DENNIS ENOMOTO'S WITHDRAWAL
chairman of the Honolulu) WITHOUT PREJUDICE OF
Liquidor Commission; WALLACE) DEFENDANTS CITY AND COUNTY
W. WEATHERWAX, individually) OF HONOLULU, HONOLULU
and in his capacity as an) LIQUOR COMMISSION AND
agent and employee of the) DENNIS ENOMOTO'S MOTION FOR
Honolulu Liquor Commission;) PARTIAL DISMISSAL, OR IN
JOHN CARROLL, individually) THE ALTERNATIVE, MOTION FOR
and in his capacity as an) PARTIAL SUMMARY JUDGMENT
employee of the Honolulu) [FILED ON MAY 18, 2005];
Liquidor Commission; ANNA) CERTIFICATE OF SERVICE
V.L.P.

HIRAI, individually and in)
her capacity as an employee)
of the Honolulu Liquor)Hearing:
Commission; ALLAN GAYLORD,)Date: February 22, 2006
individually and in his)Time: 10:00 a.m.
capacity as an employee of)Judge: Samuel P. King
the Honolulu Liquor)
Commission; JOHN DOES 1-10,) Trial Date: 08/01/06
JANE DOES 1-10; DOE)
CORPORATIONS)
1-10; DOE PARTNERSHIPS 1-)
10; DOE GOVERNMENTAL)
AGENCIES 1-10,)
Defendants.)

)

v-ppm

DEFENDANTS CITY AND COUNTY OF HONOLULU,
HONOLULU LIQUOR COMMISSION AND DENNIS ENOMOTO'S
WITHDRAWAL WITHOUT PREJUDICE OF DEFENDANTS
CITY AND COUNTY OF HONOLULU, HONOLULU LIQUOR
COMMISSION AND DENNIS ENOMOTO'S MOTION FOR PARTIAL
DISMISSAL, OR IN THE ALTERNATIVE, MOTION FOR
PARTIAL SUMMARY JUDGMENT [FILED ON MAY 18, 2005]

Come now Defendants CITY AND COUNTY OF
HONOLULU, HONOLULU LIQUOR COMMISSION AND DENNIS
ENOMOTO, by and through their attorneys, Kawashima
Lorusso & Tom LLP and hereby withdraw without prejudice
their Motion for Partial Dismissal, or in the
Alternative, Motion for Partial Summary Judgment filed
on May 18, 2005 and set to be heard on February 22,

2006 at 10:00 a.m. before Judge Samuel P. King.

Plaintiff's counsel will be notified of the withdrawal without prejudice of the motion today. This withdrawal without prejudice is submitted pursuant to Local Rules of Practice for the United States District Court for the District of Hawaii, Rule 7.1.

DATED: Honolulu, Hawaii, FEB 14 2006.



JAMES KAWASHIMA
MICHAEL A. LORUSSO
Attorneys for Defendants
City and County of
Honolulu, Honolulu Liquor
Commission, Dennis
Enomoto, Wallace W.
Weatherwax, John Carroll,
Anna Hirai and Allan
Gaylord

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

KERRY SHANNON,) CIVIL NO. CV04-00086
) SPK/LEK
 Plaintiff,)
) CERTIFICATE OF SERVICE
 vs.)
)
 CITY AND COUNTY OF)
 HONOLULU; HONOLULU LIQUOR)
 COMMISSION; DENNIS ENOMOTO;))
 in his official capacity as)
 chairman of the Honolulu)
 Liquor Commission; WALLACE)
 W. WEATHERWAX, individually)
 and in his capacity as an)
 agent and employee of the)
 Honolulu Liquor Commission;))
 JOHN CARROLL, individually)
 and in his capacity as an)
 employee of the Honolulu)
 Liquor Commission; ANNA)
 HIRAI, individually and in)
 her capacity as an employee)
 of the Honolulu Liquor)
 Commission; ALLAN GAYLORD,)
 individually and in his)
 capacity as an employee of)
 the Honolulu Liquor)
 Commission; JOHN DOES 1-10,))
 JANE DOES 1-10; DOE)
 CORPORATIONS)
 1-10; DOE PARTNERSHIPS 1-)
 10; DOE GOVERNMENTAL)
 AGENCIES 1-10,)
)
 Defendants.)
)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was duly served by means of hand delivery, to the following named attorney at his last known address on

FEB 14 2006 :

DENNIS W. POTTS, ESQ.
1001 Bishop Street
2755 Pacific Tower
Honolulu, Hawaii 96813

Attorney for Plaintiff
KERRY SHANNON

DATED: Honolulu, Hawaii, FEB 14 2006.


JAMES KAWASHIMA
MICHAEL A. LORUSSO
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Honolulu, Honolulu Liquor
Commission, Dennis
Enomoto, Wallace W.
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